

ESTTA Tracking number: **ESTTA125191**

Filing date: **02/15/2007**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

Opposer Information

Name	JamesP.Sullivan
Granted to Date of previous extension	02/17/2007
Address	34 Highfield Avenue Pinner, HA5 5LA UNITED KINGDOM
Attorney information	Scott J. Stevens Woodard, Emhardt, Moriarty, McNett & Henry LLP 111 Monument CircleSuite 3700 Indianapolis, IN 46204 UNITED STATES docketdept@uspatent.com Phone:317-634-3456

Applicant Information

Application No	78884393	Publication date	12/19/2006
Opposition Filing Date	02/15/2007	Opposition Period Ends	02/17/2007
Applicants	<p>Serror, Daphna 999 North Doheny Drive, #1104 West Hollywood, CA 90069 UNITED STATES</p> <p>Serror, Tal 999 North Doheny Drive, #1104 West Hollywood, CA 90069 UNITED STATES</p>		

Goods/Services Affected by Opposition

Class 025.

All goods and sevicees in the class are opposed, namely: clothing, namely belts, coats, jackets, t-shirts, vests, and wrist bands

Attachments	Notice of Opposition - Poetic Justice.pdf (1 page)(421610 bytes)
Signature	/scott stevens/
Name	Scott J. Stevens
Date	02/15/2007

1. Opposer Sullivan is the owner of Registration No. 3,191,430 on the mark, POETIC LICENCE, for articles of clothing, namely, jeans, trousers, skirts, shirts, jumpers, jackets, coats, scarves and gloves; articles of footwear, namely, shoes, boots, trainers, sports shoes and slippers; articles of headgear, namely, hats and caps, in International Class 25, issued on January 2, 2007. Registration No. 3,191,430, which issued from Application Serial No. 78/641,459, filed on June 1, 2005 is in full force and effect and has not been cancelled or abandoned.

2. Applicant seeks registration of the mark POETIC JUSTICE for clothing, namely belts, coats, jackets, t-shirts, vests, and wrist bands in International Class Class 25.

3. The mark for which Applicant seeks registration is confusingly similar to the prior registered mark of Opposer, and registration is being sought on goods which are closely related to the goods listed in Opposer's prior registration.

4. The registration by Applicant of the mark sought to be registered should be denied. If Applicant succeeds in registering its mark, there will be statutory rights created thereby in violation of the earlier established rights of Opposer, all to the harm of Opposer's goodwill and with the resultant diminution of Opposer's rights, all to the damage and injury of Opposer and of the public.

5. The use of the mark sought to be registered by Applicant is likely to cause confusion, mistake and deception in the minds of the public and to lead the public to believe that Applicant's goods identified thereby have their source in Opposer or that in some way Opposer is endorsing or sponsoring such goods, or that Opposer is in some way associated with Applicant in providing the goods so identified.